

United States Senate  
WASHINGTON, DC 20510-4904

November 19, 2007

The Honorable Kevin J. Martin  
Chairman, Federal Communications Commission  
445 12<sup>th</sup> Street SW  
Washington, D.C. 20554

Dear Chairman Martin,

I write to express my concern regarding the Federal Communications Commission's (FCC) proceeding with respect to media ownership rules. Given the importance of these rules and the Commission's problematic proposals in the past, I am concerned that the Commission appears to again be rushing this proceeding with inadequate or selectively chosen information.

I am particularly concerned that the Commission has not sufficiently evaluated the impact of media consolidation on local programming, and may even be selectively collecting and releasing information to support its pre-conceived agenda. It is very troubling that just one year ago, the Commission admitted to deciding not to release two reports that raised questions about potential negative impacts from further media consolidation. The draft Local TV News Report concluded that increased local ownership of television stations is correlated with increases in the amount of "on-location" news and the total amount of news in broadcasts. According to the Inspector General's investigation into this matter, the then-Media Bureau Chief decided not to release the other report, the 2003 Radio Report, because he:

"[was] not inclined to release this one unless the story can be told in a much more positive way. This is not the time to be stirring the "radio consolidation" pot... [Given that the reports in the series had been issued at uneven intervals in the past] It would hardly seem odd if we did not release one this year ... particularly given that we just did a big radio order as part of the biennial ... All in all this is a really bad time to release something like this. If we can change the focus and make it more positive ... then perhaps we can do something like this again, but this will take more than just regurgitating last year's report with new numbers."

The then-Media Bureau Chief's express desire to only release "positive" information and to "change the focus" to "make it more positive" throw the objectivity of FCC media ownership reports and proposals into doubt.

The FCC's website states that, "along with competition and diversity, promoting localism is a key goal of the Commission's media ownership rules." This vital goal should not be minimized or ignored in the rush to produce a ruling. Accordingly, I ask the FCC to, at a minimum, complete the separate localism proceeding prior to making decisions on the current media ownership rules. This proceeding should provide ample opportunity for the public to comment

on any conclusions or proposed rule changes.

While the Commission has commissioned some reports and held some hearings on media ownership, there is no completed localism proceeding to inform the consideration of proposals in this area. In addition, the selective burying of reports raises questions about the objectivity of the FCC reports that were allowed to be published. Moreover, the limited hearings that have been held have confirmed that other issues of public importance, including the lack of women-owned and minority-owned broadcast stations, deserve more careful attention from the Commission.

Keeping in mind the contentious media ownership proposal in 2003, I respectfully suggest the need for additional information gathering and opportunities for public comment before the Commission acts on this matter again. I look forward to your response.

Sincerely,

A handwritten signature in blue ink, reading "Russ Feingold". The signature is fluid and cursive, with the first name "Russ" and last name "Feingold" clearly distinguishable.

Russell D. Feingold  
United States Senator